

AMENDED IN ASSEMBLY JUNE 19, 2003

AMENDED IN SENATE JUNE 2, 2003

AMENDED IN SENATE MAY 6, 2003

AMENDED IN SENATE APRIL 2, 2003

## SENATE BILL

**No. 245**

**Introduced by Senator Sher**

February 14, 2003

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An act to amend Section 15007 of the Fish and Game Code, relating to fish.

### LEGISLATIVE COUNSEL'S DIGEST

SB 245, as amended, Sher. Fish.

Existing law provides that provisions in the Fish and Game Code relating to aquaculture do not permit ocean ranching, as defined. A violation of the code is a crime under existing law.

This bill would delete that provision and, instead, make it unlawful to spawn, incubate, or cultivate any ~~anadromous or species of finfish belonging to the family Salmonidae~~, transgenic fish species, or any exotic species of finfish in the waters of the Pacific Ocean that are regulated by this state. The bill would define "transgenic" and "exotic species" for these purposes. By changing the definition of an existing crime this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 15007 of the Fish and Game Code is  
2 amended to read:

3 15007. (a) In the waters of the Pacific Ocean that are  
4 regulated by this state, it is unlawful to spawn, incubate, or  
5 cultivate ~~anadromous or~~ any species of finfish belonging to the  
6 family Salmonidae, transgenic fish species, or any exotic species  
7 of finfish.

8 (b) Nothing in this section authorizes artificial propagation,  
9 rearing, or stocking of transgenic freshwater and marine fishes,  
10 invertebrates, crustaceans, or mollusks.

11 (c) As used in this section, “transgenic” has the same meaning  
12 as in Section 1.92 of Title 14 of the California Code of Regulations,  
13 as that section read on May 14, 2003.

14 (d) As used in this section, “exotic species” means a fish that  
15 is not native to California waters and that does not currently exist  
16 as a viable population in a wild condition in the state.

17 SEC. 2. No reimbursement is required by this act pursuant to  
18 Section 6 of Article XIII B of the California Constitution because  
19 the only costs that may be incurred by a local agency or school  
20 district will be incurred because this act creates a new crime or  
21 infraction, eliminates a crime or infraction, or changes the penalty  
22 for a crime or infraction, within the meaning of Section 17556 of  
23 the Government Code, or changes the definition of a crime within  
24 the meaning of Section 6 of Article XIII B of the California  
25 Constitution.

